

1 Katherine F. Parks, Esq.  
2 Nevada Bar No. 6227  
3 Thorndal Armstrong, PC  
4 6590 S. McCarran Blvd., Suite B  
5 Reno, Nevada 89509  
6 Tel: (775) 786-2882  
7 kfp@thorndal.com  
8 Attorney for Defendants  
9 DOUGLAS COUNTY and MATT SAMPSON

10 UNITED STATES DISTRICT COURT

11 DISTRICT OF NEVADA

12 SANDRA SCHULZE, individually, as  
13 guardian ad litem of minor child E.S., and as  
14 Special Administrator of the ESTATE OF JON  
15 D. SCHULZE; MAKAYLA SCHULZE;  
16 GAHVIN SCHULZE; VICTORIA MARTIN;  
17 KALI WOOD-SMITH; and SEBASTIAN  
18 GROTTs,

19 Plaintiffs,

20 vs.

21 DOUGLAS COUNTY, a political subdivision  
22 of the State of Nevada; MATT SAMPSON,  
23 DEPUTY SHERIFF II, DOUGLAS COUNTY  
24 SHERIFF'S OFFICE; DOES 1-10,

25 Defendants.

Case No. 3:23-cv-00567-LRH-CLB

**STIPULATED PROTECTIVE ORDER**

26 In order to protect the confidentiality of confidential information obtained by the parties  
27 identified in the above caption in connection with this case, the parties hereby agree as follows:

28 1. Any party may designate as "confidential" (by stamping the relevant page or  
otherwise as set forth herein) any document or response to discovery which that party or non-  
party considers in good faith to contain confidential information, subject to protection under the  
Federal Rules of Civil Procedure, or state or federal law ("Confidential Information"). Where a  
document or response consists of more than one page, the first page and each page on which  
confidential information appears shall be so designated.

2. A party may designate information disclosed during a deposition or in response to  
written discovery as "confidential" by so indicating in said response or a party may designate in

1 writing, within twenty (20) days after receipt of said responses or of the deposition transcript for  
2 which the designation is proposed, that specific pages of the transcript and/or specific responses  
3 be treated as “confidential” information. Any other party may object to such proposal, in writing  
4 or on the record. Upon such objection, the parties shall follow the procedures described in  
5 paragraph 8 below. After any designation made according to the procedure set forth in this  
6 paragraph, the designated documents or information shall be treated according to the designation  
7 until the matter is resolved according to the procedures described in paragraph 8 below, and  
8 counsel for all parties shall be responsible for marking all previously unmarked copies of the  
9 designated material in their possession or control with the specific designation.

10 3. All information produced or exchanged in the course of this case (other than  
11 information that is publicly available) shall be used by the party or parties to whom the  
12 information is produced solely for the purpose of this case.

13 4. Except with the prior written consent of the party or parties who designated the  
14 material “Confidential Information,” or upon the prior order of this Court obtained upon notice  
15 to opposing counsel, Confidential Information shall not be disclosed to any person other than:

16 (a) counsel for the respective parties to this litigation, including in-house counsel and  
17 co-counsel retained for this litigation;

18 (b) employees of such counsel;

19 (c) individual parties, class representatives, any officer or employee of a party, to the  
20 extent deemed necessary by Counsel for the prosecution or defense of this litigation;

21 (d) consultants or expert witnesses retained for the prosecution or defense of this  
22 litigation, provided that each such person shall execute a copy of the Certification annexed to this  
23 Order as Exhibit “A” (which shall be retained by counsel to the party so disclosing the  
24 Confidential Information and made available for inspection by opposing counsel during the  
25 pendency or after the termination of the action only upon good cause shown and upon order of  
26 the Court) before being shown or given any Confidential Information;

27 (e) any authors or recipients of the Confidential Information;

28 (f) the Court, Court personnel, and court reporters; and

1 (g) witnesses (other than persons described in paragraph 4(e)). A witness shall sign  
2 the Certification before being shown a confidential document. Confidential Information may be  
3 disclosed to a witness who will not sign the Certification only in a deposition at which the party  
4 who designated the Confidential Information is represented or has been given notice that  
5 Confidential Information shall be designated “Confidential” pursuant to paragraph 2 above.  
6 Witnesses who have been shown Confidential Information shall not be allowed to retain copies.

7 5. Any persons receiving Confidential Information shall not reveal or discuss such  
8 information to or with any person who is not entitled to receive such information, except as set  
9 forth herein.

10 6. Unless otherwise permitted by statute, rule or prior court order, papers filed with  
11 the Court under seal shall be accompanied by a concurrently filed motion for leave to file those  
12 documents under seal, and shall be filed consistent with the court’s electronic filing procedures  
13 in accordance with Local Rule IA 10-5. Notwithstanding any agreement among the parties, the  
14 party seeking to file a paper under seal bears the burden of overcoming the presumption in favor  
15 of public access to papers filed in court. *Kamakana v. City and County of Honolulu*, 447 F.2d  
16 1172 (9<sup>th</sup> Cir. 2006) and *Center for Auto Safety v. Chrysler Group, LLC.*, 809 F.3d 1092, 1097  
17 (9<sup>th</sup> Cir. 2016).

18 7. A party may designate as “Confidential” documents or discovery materials  
19 produced by a non-party by providing written notice to all parties of the relevant document  
20 numbers of other identification within thirty (30) days after receiving such documents or  
21 discovery materials. Any party or non-party may voluntarily disclose to others without  
22 restriction any information designated by that party or non-party as confidential, although a  
23 document may lose its confidential status if it is made public.

24 8. If a party contends that any material is not entitled to confidential treatment, such  
25 party may at any time give written notice to the party or non-party who designated the material.  
26 The party or non-party who designated the material shall have twenty-five (25) days from the  
27 receipt of such written notice to apply to the Court for an order designating the material as  
28 confidential. The party seeking the order has the burden of establishing that the document is

1 entitled to protection.

2 9. Notwithstanding any challenge to the designation of material as Confidential  
3 Information, all documents shall be treated as such and shall be subject to the provisions hereof  
4 unless and until one of the following occurs:

5 (a) the party who claims that the material is Confidential Information withdraws such  
6 designation in writing; or

7 (b) the party who claims that the material is Confidential Information fails to apply to  
8 the Court for an order designating the material confidential within the time period specified  
9 above after receipt of a written challenge to such designation; or

10 (c) the Court rules the material is not confidential.

11 10. All provisions of this Order restricting the communication or use of Confidential  
12 Information shall continue to be binding after the conclusion of this action, unless otherwise  
13 agreed or ordered. Upon conclusion of the litigation, a party in the possession of Confidential  
14 Information, other than that which is contained in pleadings, correspondence, and deposition  
15 transcripts, shall either (a) return such documents no later than thirty (30) days after conclusion  
16 of this action to counsel for the party who provided such information, or (b) destroy such  
17 documents within the time period upon consent of the party who provided the information and  
18 certify in writing within thirty (30) days that the documents have been destroyed.

19 11. The terms of this Order do not preclude, limit, restrict, or otherwise apply to the  
20 use of documents at trial.

21 12. Nothing herein shall be deemed to waive any applicable privilege or work product  
22 protection, or to affect the ability of a party to seek relief for an inadvertent disclosure of material  
23 protected by privilege or work protection.

24 13. Any witness or other person, firm or entity from which discovery is sought may  
25 be informed of and may obtain the protection of this Order by written advice to the parties'

26 ///

27 ///

28 ///

1 respective counsel or by oral advice at the time of any deposition or similar proceeding.

2  
3 Dated this 20<sup>th</sup> day of May, 2024.

Dated this 20<sup>th</sup> day of May, 2024.

4 LAW OFFICE OF GENE M. KAUFMANN

THORNDAL ARMSTRONG, PC

5  
6 By: /s/ Gene Kaufman

7 GENE M. KAUFMAN, ESQ.  
1591 Mono Avenue, Suite 102  
8 Minden, NV 89423

By: /s/ Katherine Parks

KATHERINE F. PARKS, ESQ.  
6590 S. McCarran Blvd, Suite B  
Reno, NV 89509  
Attorney for Defendants  
9 DOUGLAS COUNTY and  
10 MATT SAMPSON

11 Dated this 20<sup>th</sup> day of May, 2024.

12 CHAIKEN & CHAIKEN, P.C.

13 By: /s/ Robert Chaiken

14 ROBERT L. CHAIKEN, ESQ.  
5717 Legacy Dr., Suite 250  
15 Plano, TX 75024  
Attorneys for Plaintiffs

16 **ORDER**

17 The Court will only retain jurisdiction over this order while the case is pending and its  
18 jurisdiction will cease upon dismissal of the case.

19 IT IS SO ORDERED.

20 DATED: This 21st day of May 2024.

21  
22   
23 UNITED STATES MAGISTRATE JUDGE  
24  
25  
26  
27  
28

**EXHIBIT "A"**

**CERTIFICATION**

I hereby certify my understanding that Confidential Information is being provided to me pursuant to the terms and restrictions of the Protective Order dated \_\_\_\_\_, 2024, in a court case titled "Schulze et al v. Douglas County Sheriff's Office et al, pending in UNITED STATES DISTRICT COURT, DISTRICT OF NEVADA, Case No. 3:23-cv-00567-RCJ-CLB. The full caption of the lawsuit reads, SANDRA SCHULZE, individually, as guardian ad litem of minor child E.S., and as Special Administrator of the ESTATE OF JON D. SCHULZE; MAKAYLA SCHULZE; GAHVIN SCHULZE; VICTORIA MARTIN; KALI WOOD-SMITH; and SEBASTIAN GROTTIS, Plaintiffs, vs. DOUGLAS COUNTY, a political subdivision of the State of Nevada; MATT SAMPSON, DEPUTY SHERIFF II, DOUGLAS COUNTY SHERIFF'S OFFICE, Defendants,"

I have been given a copy of the above referenced Order and I have read it. I agree to be bound by the Order. I will not reveal the Confidential Information to anyone, except as allowed by the Order. I will maintain all such Confidential Information – including copies, notes, or other transcriptions made therefrom – in a secure manner to prevent unauthorized access to it. No later than thirty (30) days after the conclusion of this action, I will return the Confidential Information – including copies, notes, or other transcriptions made therefrom – to the counsel who provided me with the Confidential Information. I hereby consent to the jurisdiction of the United States District Court for the purpose of enforcing the Protective Order.

DATED: \_\_\_\_\_.

\_\_\_\_\_